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2001HOCHI01201 - UNCLASSIFIED

UNCLASSIFIED PTO1854

PAGE 01 HO CHI 01201 230453Z
ACTION EAP-00

INFO	LOG-00	AID-00	AMAD-00	CIAE-00	INL-00	SRPP-00	EB-00
	EUR-00	UTED-00	H-01	TEDE-00	INR-00	IO-00	L-00
	NSAE-00	OIC-02	OPIC-01	PC-01	PRS-00	P-00	SP-00
	SS-00	STR-00	TEST-00	TRSE-00	USIE-00	SNIS-00	NISC-00
	PRM-00	DRL-02	G-00	NFAT-00	SAS-00	/007W	
					-----33B221	230454Z	/38

FM AMCONSUL HO CHI MINH CITY
TO SECSTATE WASHDC PRIORITY 5630
INFO AMEMBASSY HANOI PRIORITY
AMEMBASSY VATICAN
USMISSION GENEVA
ASEAN COLLECTIVE
USCINCPAC HONOLULU HI
JICPAC HONOLULU HI
SECDEF WASHDC
DIA WASHDC
NSC WASHDC

UNCLAS HO CHI MINH CITY 001201

SIPDIS

DEPARTMENT FOR EAP/BCLTV AND EAP/PD/MSPEER
DEPARTMENT ALSO FOR DRL/IRF
CINCPAC FOR FPA
SECDEF FOR ISA/EA/ABLAGG

E.O. 12958: N/A

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PAGE 02 HO CHI 01201 230453Z
TAGS: [PHUM KIRF VM HUMANR RELFREE](#)
SUBJECT: FATHER NGUYEN VAN LY SENTENCED TO 15 YEARS

REF: A. HANOI 2276 B. HCMC 0688 AND PREVIOUS C. HCMC
1134

1. LOCAL MEDIA REPORTED THAT FATHER NGUYEN VAN LY, CATHOLIC PRIEST ARRESTED MAY 17, STOOD TRIAL ON OCTOBER 19 IN THUA THIEN HUE PROVINCE. THE PROVINCIAL PEOPLE'S COURT HANDED DOWN A SENTENCE OF 15 YEARS IMPRISONMENT TO FATHER LY - TWO YEARS FOR DISOBEYING THE "ADMINISTRATIVE PROBATION" (HOUSE ARREST) ORDERS HE WAS PLACED UNDER IN FEBRUARY, AND 13 YEARS FOR DAMAGING THE GOVERNMENT'S "UNITY POLICY." IN ADDITION, THE COURT ORDERED ADMINISTRATIVE PROBATION, WHICH WILL CONFINELY TO HIS PLACE OF RESIDENCE FOR 5 YEARS AFTER HE IS RELEASED FROM PRISON. BOTH PROVINCIAL AND NATIONAL TELEVISION (VTV1) BROADCAST THE SENTENCING ON THE EVENING NEWS.

2. FATHER LY HAS ALREADY SPENT 10 YEARS IN PRISON (FROM 1981 TO 1991) FOR ANTI-REVOLUTIONARY ACTIVITIES. IN NOVEMBER 2000, HE CIRCULATED A LETTER CHARGING THE GOVERNMENT WITH ABUSE OF RELIGIOUS FREEDOM. IN FEBRUARY 2001, HE MET WITH DISSIDENT HOA HAO AND BUDDHIST LEADERS IN HUE TO ORGANIZE A "COUNCIL FOR INTER-RELIGIOUS UNITY" OUTSIDE OF GVN AUTHORITY. ONE WEEK LATER, HE SUBMITTED WRITTEN TESTIMONY THAT WAS HIGHLY CRITICAL OF THE GVN TO THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM. ON FEBRUARY 14, THE PROVINCIAL PEOPLE'S COMMITTEE OF THUA THIEN HUE PROVINCE PUT HIM UNDER A HOUSE ARREST ORDER. FATHER
UNCLASSIFIED

PAGE 03 HO CHI 01201 230453Z
LY, HOWEVER, CONTINUED TO SPEAK OUT DURING HIS SERMONS, HUNG BANNERS AT HIS CHURCH CALLING FOR RELIGIOUS FREEDOM, AND ATTEMPTED TO BREAK HIS HOUSE ARREST BY TRAVELING OUTSIDE HIS CHURCH COMPOUND.

3. SEVERAL POLICEMEN ARRESTED FATHER LY EARLY IN THE MORNING OF MAY 17. LATER THAT DAY, ACCORDING TO SEVERAL WITNESSES, APPROXIMATELY 300 POLICEMEN CAME TO THE CHURCH COMPOUND TO FORCIBLY DISBURSE A CROWD OF 300 - 500 PERSONS, WHO WERE PROTESTING THE ARREST.

4. ON OCTOBER 22, IN A MEETING WITH THE DEPUTY DIRECTOR OF THE AMERICAS DEPARTMENT OF THE MFA ON ANOTHER SUBJECT, EMBASSY POL/C RAISED FATHER LY'S SENTENCE, NOTED THE ADDITIONAL CONCERN THIS WOULD CREATE IN WASHINGTON, AND OBSERVED THAT THE VIETNAM HUMAN RIGHTS ACT WAS STILL PENDING BEFORE THE SENATE. THE DEPUTY DIRECTOR MERELY REPEATED THE USUAL LINE THAT THE CASE

WAS ABOUT CRIMINAL ACTIVITY AND NOT ABOUT RELIGIOUS
FREEDOM. CONGEN POLOFF WAS UNABLE TO REACH EITHER THE
ARCHBISHOP OF HUE OR THE ARCHBISHOP OF HCMC FOR
COMMENT. (THE ARCHBISHOP OF HCMC IS CURRENTLY
TRAVELING IN ROME.) A CATHOLIC PRIEST IN HUE AND TWO
OTHERS IN HCMC DECLINED TO TALK WITH POLOFF ABOUT THE
SENTENCING. ONE PRIEST SAID HE WOULD BE WILLING TO
TALK WITH POLOFF "AFTER SOME TIME HAS PASSED."

COMMENT

15. POST BELIEVES THE HARSH SENTENCE MAY HAVE RESULTED
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PAGE 04 HO CHI 01201 230453Z
IN PART FROM LY'S TESTIMONY TO THE U.S. COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM. THE GOVERNMENT
TOLERATES SOME CRITICISM ABOUT CERTAIN POLICIES -- WHEN
IT IS MADE CONSTRUCTIVELY AND IN PRIVATE. FATHER LY'S
DELIBERATE, PUBLIC CRITICISM OF THE GOVERNMENT -- SENT
IN WRITTEN FORM TO A FOREIGN GOVERNMENT ENTITY - LED TO
THIS HARSH GVN REACTION. THE 15-YEAR SENTENCE IS
SEVERE. IN CONTRAST, POST NOTES THE "RINGLEADER" OF
THIS YEAR'S ETHNIC DEMONSTRATIONS IN THE CENTRAL
HIGHLANDS RECEIVED A 12-YEAR SENTENCE, AND OTHERS
INVOLVED WITH THIS UNREST RECEIVED FAR LESS.

YAMAUCHI

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